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15 MR. HALSTEAD: Good evening. For the record,  
16 NOV 09 1999 I'm Bob Halstead, transportation advisor for the Nevada Agency  
17 for Nuclear Projects.

18 At the earlier session today, I gave a statement  
19 that discussed the deficiencies in the Draft EIS regarding  
20 heavy haul truck transportation.

21 I certainly don't want to repeat those points,  
22 but I have copies over against the wall on the table of the  
23 statement that I made, and if anyone wants to talk about those  
24 issues after the meeting, I will stay around.

25 I'd like to begin as Ginger did by thanking the  
1 members of the County Board who came tonight and also thanking  
2 Mayor Phillips for being here this evening morning, and also  
3 really thank all of you who came both at the earlier session  
4 and tonight.

5 This is a wonderful turnout in terms of getting  
6 the public to come out, and I don't care which side of the  
7 issue you're on or what you think of me or the State or the  
8 State's position.

9 This is a wonderful process that we have under  
10 the National Environmental Policy Act and I'm glad to see  
11 people exercising their rights.

1... 12 Now, [it will come as a surprise to some of you in  
13 Lincoln County that in spite of the fact that the State of  
14 Nevada strongly opposes the Yucca Mountain Project, for the  
15 last ten years, we've worked very closely and very strongly  
16 with DOE to try and help them develop safe transportation  
17 safety protocols.

18 We've worked particularly closely in developing  
19 the truck shipment protocols for the waste isolation pilot plan

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20 in New Mexico.

21 I attend lots of national committee meetings, and  
22 in addition, we've provided these comments in the scoping  
23 process and we published about three dozen technical reports,  
24 and the long and the short of it is, in spite of not wanting  
25 this facility, we've been trying to teach DOE what we think  
1 they should about transportation in Nevada, and to the extent  
2 that we have advice to give them on the national transportation  
3 system, we've given that, as well, and I'm going to give you  
4 the ten key points that we've given to them, but I have to tell  
5 you sadly that after ninety days of reviewing their Draft EIS,  
6 I find very little evidence that they've paid any attention to  
7 the good advice that we've given them, and I hope that if any  
8 of you feel that the advice I'm giving them again tonight is  
9 good, that you'll join in and add this in your comments.

10 First of all, we said ship the oldest fuel first.  
2 11 It has the smallest amount of gamma neutron radiation. It's  
12 the safest from a transportation standpoint.

13 DOE has not only made no commitment to do this,  
14 they've actually put some scenarios in their DEIS where they  
15 have to ship hotter, more dangerous fuel in order to get hot  
16 fuel to Yucca Mountain to heat up the repository horizon.

17 Secondly, we've said plan the transportation  
3... 18 system to maximize use of rail. Only use trucks where  
19 absolutely necessary.

20 Here I give them credit for actually developing a  
21 plan to maximize use of rail, but in the Draft EIS, then, they  
22 looked at the results of their computer models and said, "Well,  
23 the risk of truck isn't that much different than rail, so we  
24 can do it either way."

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25 We strongly disagree. It's a way to maximize use  
1 of rail, and that should be the policy that they follow.

4

2 Point number three, we suggested in the past they  
3 develop a variety of rail casks instead of the original DOE was  
4 to make every reactor in the country use one big cask that half  
5 of them couldn't handle, this kind of the papa bear, mama bear,  
6 baby bear approach to cask design, and again they actually  
7 seemed to have listened to what they said, but there's so  
8 little detail in the Draft EIS that we can't tell what their  
9 small, medium and large rail casks are all about.

10 Point number four, and four, five and six are  
11 really important issues.

12 We said go beyond the safety requirements of the  
13 NRC and the DOT and -- and really do things that will ensure  
14 safety.

5

15 One, use full scale physical testing of the  
16 shipping casks to see if they meet the NRC standards, and  
17 additionally do more computer modeling than the regulations  
18 require to determine where the failure thresholds of the casks  
19 are and impact required.

20 No commitment here, and indeed I was sad to see  
21 not even a discussion of this issue in the Draft EIS.

6...

22 Number five, very important. Go beyond the  
23 regulations and require that all the shipments by rail be  
24 dedicated trains; you know, short little trains, maybe five to  
25 ten casks, no other cargo involved with dedicated locomotives.

1 Don't mix the casks up in mixed freight trains  
2 and send them through the classification yard in Kansas City  
3 and the other places where one railroad connects with another.

4 Not only is there no commitment -- not -- not

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5 only is there no commitment not to use general freight trains,  
6 there are in fact arguments offered in the DEIS as to why they  
7 don't need to bother with dedicated trains.

7

8 Point number six, we said the regulations allow  
9 you to make cross country routes that minimize shipments  
10 through highly populated areas, please do that, and we offered  
11 them a process collectively developed by all the western states  
12 through the Western Governor's Association and the Western  
13 Interstate Energy Board, and when they cut their budget last  
14 time, that was the first thing that they cut.

15 No discussion at all in the DEIS of a cooperative  
16 regional and national-then approach to picking routes that  
17 would be safest.

8

18 Point number seven, go beyond the regulations.  
19 Require armed guards and health physics escorts for all  
20 shipments for the whole range to have the routes.

21 People in rural areas deserve the same protection  
22 that people in highly populated areas currently get under the  
23 NRC regulations, and in fact when DOE has done some  
24 shipments -- for example the fuel that came back from Taiwan  
25 and other Pacific Rim countries -- they followed our  
1 recommendations, but we don't see any discussion of this in the  
2 Draft EIS.

9

3 Point number eight, go beyond the regulations and  
4 require independent safety inspections, both mechanical and  
5 radiological, at the shipment origin, at least one point in  
6 route, at the Nevada point of entry and at Yucca Mountain

7 They've at least been willing to discuss this off  
8 the record, but there's nothing in the Draft EIS that lays out  
9 a comprehensive strategy for safety inspections.

10

Point number nine, go beyond the existing regulations and program plans for comprehensive emergency response training, medical response training for all the state, local and tribal first responders along the routes.

Here I give them credit for being involved in a number of constructive discussions, but I don't see any commitments in the document to do this, and the last time there was a budget round at DOE, guess what the first area to be cut was. Planning for the section 180-C financial assistance that would provide for that training.

11...

Point number ten -- and this is really important because I think there's common ground here. We've told the department over and over again that while we understand that the way Congress crafted the Nuclear Waste Policy Amendments Act, the Draft EIS doesn't have to consider alternatives to Yucca Mountain. We think that's wrong, but we understand the reality.

But there's nothing that says DOE shouldn't follow a normal NEPA process when it comes to evaluating highway routes and the route for a rail spur, and in fact we've told DOE that the way they should have prepared for the Draft EIS was to put out a Draft EIS that says here's the preferred rail spur and here are two or three viable alternatives. Let's take your input on them and then in the Final EIS, we'll pick what we think is the best route.

Now what's interesting is they actually used this process -- although they don't talk about it -- for the legal weight truck shipments.

If you read all their 1,600 pages closely and all the supporting documents, you find, in fact, for legal weight

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15 truck shipments, we've got a preferred route. I-15 to the Las  
16 Vegas Beltway, out on US 95.

17 In fact, there's a map of it over here, and then  
18 in the appendices, they evaluate all the alternatives routes.

19 That's the way that they should have approached  
20 the issue of a rail route, and even though the State believes  
21 that heavy haul truck transportation in Nevada is a very poor  
22 idea, the appropriate way to do this under NEPA would again  
23 have been to pick what the department thinks is the preferred  
24 route, put out some alternatives, take input from all of us, go  
25 away for eighteen months and come back with a Final EIS that  
1 hopefully would reflect common sense and not immediately lead  
2 to litigation.

3 MR. LAWSON: Sum up.

4 MR. HALSTEAD: Again, I thank you all for being  
5 here tonight. I thank you, Barry and the other team who have  
6 been coordinating the meetings and the DOE staff people who've  
7 had to listen to comments from me and other people.

8 Thank you very much.